IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPEAL NO. 277 OF 1990

The State of Maharashtra .. Appellant

versus

Ashok Kotiram Karanje & Anr. .. Respondents

...

Mr.D.P. Adsule, APP for the State.

Mr.Arun Phatke i/b Dilip Bodke for the respondent no.4.

CORAM : V.M. KANADE, J

DATED : 16th September 2004.

ORAL JUDGEMENT :-

1. Heard the learned APP appearing on behalf of the State and the learned counsel appearing on behalf of the respondent.

2. The accused were charged under section 324, 323, 504 506 r/w sec.34 of the IPC. The only injury which was found on the person of the complainant was

on the left cheek which according to him was caused as a result of accused no.1 hitting him with a cycle chain. The trial Court has disbelieved the evidence of the prosecution and observed that independent witnesses have not been examined. The trial Court has further observed that the statement of the complainant and her husband is contradictory. The accused were acquitted by judgement and order dated January 1990. I have gone through the evidence on record and I have perused the findings which are given by the trial Court. The findings are neither perverse nor unreasonable. Therefore, no reason to interfere with the said order after a lapse of 14 years.

3. Appeal is dismissed.

V.M. KANADE, J